

BEST AVAILABLE COPY

DECLARATION AND POWER OF ATTORNEY

Attorney Docket No. SOLCIP3.UPA

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled: **IMPLANTABLE PUMP APPARATUSES**, application serial number 10/733,090, filed on **DECEMBER 9, 2003**.

I hereby state that I have reviewed and understand that contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application or patent or inventor's certificate having a filing dated before that of the application of which priority is claimed:

| Country | Application Number | Date of Filing | Priority Claimed Under 35 U.S.C. 119 |
|---------|--------------------|----------------|--------------------------------------|
| | | | |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, in so far as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) that occurred between the filing date of the prior application and the national or PCT international filing dated of this application:

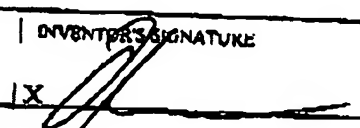
| Application Number | Date of Filing | Status (patented, pending, abandoned) |
|--------------------|----------------|---------------------------------------|
| 09/015,759 | 1/29/98 | Patented (6,168,575) |
| 09/586,962 | 1/5/00 | Patented (6,589,198) |
| 09/841,191 | 4/25/01 | Patented (6,682,500) |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

| Application Number | Date of Filing |
|--------------------|----------------|
| 60/431,696 | |

I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: **Alfred P. Hoyte, Jr.** Please address all correspondence to **Alfred P. Hoyte, Esq., 733 15th Street, N.W.; Washington, D.C. 20005, Telephone No. 202-737-7590**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that any such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|-------------------------------------|-------------------------------------------------------------------------------------|-----------|
| FULL NAME OF SOLE OR FIRST INVENTOR | INVENTOR'S SIGNATURE | DATE |
| David Solmanpour |  | IX 6-1804 |
| RESIDENCE & POST OFFICE ADDRESS | CITIZENSHIP | |
| 5 Lindsley Drive | U. S. | |
| Larchmont N.Y. 10538 | | |



Attorney Docket No. SOLCIP3.UPA
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| Application Number | Date of Filing | Status (patented, pending, abandoned) |
|--------------------|----------------|---------------------------------------|
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| 09/586,962 | 1/3/00 | Patented (6,389,198) |
| 09/841,191 | 4/25/01 | Patented (6,682,500) |

I hereby claim the benefit under Title 35, United States Code, § 119(c) of any United States provisional application(s) listed below:

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I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Alfred F. Hoyte, Jr. Please address all correspondence to Alfred F. Hoyte, Esq., 733 15th Street, N.W.; Washington, D.C. 20005, Telephone No. 202-737-7590.

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| FULL NAME OF SOLE OR FIRST INVENTOR | INVENTOR'S SIGNATURE | DATE |
|-------------------------------------|----------------------|------|
| David Soltanpour | X | X |

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FULL NAME OF SECOND INVENTOR

INVENTOR'S SIGNATURE

DATE

Mohsen Shahinpoor

M. Shahinpoor

6/17/04

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